

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

The United States of America (with
and/or without the United States) ex rel,
SHARON BRIDGEWATER, "Private Attorney
General" and on behalf of (Specialty Investment
Group L.L.C. a dissolved Georgia Company
and/or Specialty Global Investments, INC.
a dissolved Nevada Corporation, Brigewater
& Company, Inc., a California corporation,

Plaintiffs,

v.

Case No. 12-15423

ERIC HOLDER, JR., et al,

HON. AVERN COHN

Defendants.

ORDER
GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA PAUPERIS
AND
DISMISSING COMPLAINT

I.

Plaintiff Sharon Bridgewater, proceeding pro se, has filed a 133 page complaint against multiple named and unnamed defendants. Plaintiff also filed a motion for a temporary restraining order.

Plaintiff seeks to proceed in forma pauperis. Based upon the information in the Application to Proceed In Forma Pauperis, the Court, under 28 U.S.C. § 1915, GRANTS plaintiff in forma pauperis status. For the reasons that follow, however, the complaint will be dismissed for lack of subject-matter jurisdiction and for failure to state a claim.

II.

Under 28 U.S.C. § 1915 (e)(2)(B) a Court may dismiss a complaint at any time if it determines that the case is frivolous or malicious, that the plaintiff fails to state a claim upon which relief may be granted, or seeks relief against a defendant who is immune from such relief. A complaint "is frivolous where it lacks an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989). Factual frivolousness includes allegations that are "clearly baseless," "fantastic", or "delusional." *Id.* at 327-28.

Moreover, a federal court is always "under an independent obligation to examine their own jurisdiction," FW/PBS, Inc. v. City of Dallas, 493 U.S. 215, 231 (1990), and a federal court may not entertain an action over which it has no jurisdiction. See Insurance Corp. of Ireland, Ltd. v. Compagnie des Bauxites de Guinee, 456 U.S. 694, 701 (1982). Indeed, a court is required to dismiss an action at any time if it lacks subject-matter jurisdiction. See Fed. R. Civ. P. 12(h)(3); See Wagenknecht v. United States, 533 F.3d 412, 416 (6th Cir.2008) ("a district court may sua sponte dismiss an action when it lacks subject matter jurisdiction.").

The Court must read pro se complaints indulgently, see Haines v. Kerner, 404 U.S. 519, 520 (1972), and accept plaintiff's allegations as true, unless they are clearly irrational or wholly incredible. Denton v. Hernandez, 504 U.S. 25, 33 (1992).

III.

The Court has reviewed the complaint. The allegations lack substance. Also, the complaint fails to state a claim over which the Court has subject-matter jurisdiction.

IV.

For the reasons stated above, the complaint is DISMISSED for lack of subject-matter jurisdiction and under 28 U.S.C. § 1915(e)(2) because it fails to describe an arguable legal claim. Plaintiff's motion for a temporary restraining order is MOOT.

The Court certifies that any appeal from this decision could not be taken in good faith. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: December 17, 2012

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, December 17, 2012, by electronic and/or ordinary mail.

S/Sakne Chami
Case Manager, (313) 234-5160